

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DENISE FAHEY-RAMIREZ, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

NESPRESSO USA, INC.,

Defendant.

Case No. 25 Civ. 01684 (JHR)

**NOTICE OF DEFENDANT NESPRESSO USA, INC.'S MOTION TO  
DISMISS THE AMENDED COMPLAINT, OR IN THE ALTERNATIVE  
TO STRIKE THE CLASS ALLEGATIONS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Nespresso USA, Inc.'s Motion to Dismiss the Amended Complaint, or in the Alternative to Strike the Class Allegations, Defendant Nespresso USA, Inc., by and through its undersigned counsel, will move this Court before the Honorable Jennifer H. Rearden, on a date and at a time to be determined by the Court, in Courtroom 12B of the United States District Court for the Southern District of New York, 500 Pearl St., New York, New York, 10007, for an order dismissing the Complaint (ECF No. 16) in the above-referenced action in its entirely and with prejudice, in accordance with Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), or in the alternative striking the class allegations in accordance with Federal Rules of Civil Procedure 12(f) and 23(d)(1)(D), and for such other relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), Plaintiff shall file a response, if any, to this motion no later than June 6, 2025, and Defendant shall file a reply, if any, in support of this motion no later than June 13, 2025.

Dated: New York, New York  
May 23, 2025

Respectfully submitted,

LINKLATERS LLP

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